

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**AUGUSTUS MCCRAY**

**PLAINTIFF**

**V.**

**NO. 4:17CV00092-DMB-JMV**

**CONVERGENT OUTSOURCING, INC.**

**DEFENDANT**

**ORDER DENYING MOTION FOR LEAVE TO SERVE SUBPOENA**

Before the court is Plaintiff's motion [8] for leave to serve a third-party subpoena upon (presumably) his cell phone service provider outside the time prescribed by FED.R.CIV.P. 26(d). The motion is denied because the proposed subpoena, itself, is ambiguous with regard to the identity of the account-holder associated with the "target phone number." Plaintiff may re-urge the motion by refiling the same along with a proposed subpoena that cures the defect raised above.

SO ORDERED this 28th day of August, 2017.

**/s/ Jane M. Virden**  
**U. S. MAGISTRATE JUDGE**